

UNITED STATES DISTRICT COURT
THE DISTRICT OF MARYLAND

JUDY JIEN, *et al.*,

Plaintiffs,

v.

PERDUE FARMS, INC., *et al.*,

Defendants.

Civil Action No. SAG-19-2521

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENTS
BETWEEN PLAINTIFFS AND DEFENDANTS ALLEN HARIM FOODS, LLC, AMICK
FARMS, LLC, BUTTERBALL, LLC, FIELDALE FARMS CORPORATION, FOSTER
POULTRY FARMS, JENNIE-O TURKEY STORE, INC., KOCH FOODS, INC., O.K.
FOODS, INC, TYSON FOODS, INC., AND KEYSTONE FOODS, LLC,
CERTIFICATION OF SETTLEMENT CLASS, AND APPOINTMENT OF
SETTLEMENT CLASS COUNSEL**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiffs Judy Jien, Kieo Jibidi, Elaisa Clement, Glenda Robinson, Emily Earnest, and Kevin West (collectively, Plaintiffs) hereby move for an Order granting preliminary approval of settlements reached between Plaintiffs and the following Defendants: Allen Harim Foods, LLC, Amick Farms, LLC, Butterball, LLC, Fieldale Farms Corporation, Foster Poultry Farms, Jennie-O Turkey Store, Inc. (JOTS), Koch Foods, Inc., O.K. Foods, Inc., Tyson Foods, Inc. and Keystone Foods, LLC (collectively, Settling Defendants). The settlement terms are memorialized in written agreements entered into Allen Harim Foods, LLC and Plaintiffs on October 9, 2024; by Amick Farms, LLC and Plaintiffs on July 3, 2024; by Butterball, LLC and Plaintiffs on August 27, 2024; by Fieldale Farms Corporation and Plaintiffs on December 9, 2024; by Foster Poultry Farms and Plaintiffs on October 3, 2024; by JOTS and Plaintiffs on August 20, 2024; by Koch Foods, Inc. and Plaintiffs on October 16, 2024; by O.K. Foods, Inc. and Plaintiffs on September 25, 2024; and

by Tyson Foods, Inc. and Keystone Foods, LLC (collectively, Tyson), and Plaintiffs on August 5, 2024. These agreements are collectively referred to herein as the Settlement Agreements.

Plaintiffs respectfully request that the Court:

- (a) Grant preliminary approval of the Settlement Agreements;
- (b) Certify the proposed Settlement Classes;
- (c) Appoint the Named Plaintiffs in this litigation—Judy Jien, Kieo Jibidi, Elaisa Clement, Glenda Robinson, Emily Earnest, and Kevin West—as class representatives of the Settlement Classes;
- (d) Appoint the law firms Hagens Berman Sobol Shapiro LLP, Cohen Milstein Sellers & Toll PLLC, and Handley Farah & Anderson PLLC (collectively serving as Interim Co-Lead Counsel) as Settlement Class Counsel;
- (e) Grant a stay of all proceedings in this litigation against the Allen Harim Released Parties, the Amick Related Parties, the Butterball Related Parties, the Fieldale Related Parties, Foster Farms Related Parties, the JOTS Related Parties, the Koch Related Parties, the O.K. Foods Related Parties, and the Tyson Released Parties (as defined in the Settlement Agreements) except as necessary to effectuate the Settlement Agreements or as otherwise agreed to by the settling parties.

This motion is made on the grounds that the Settlement Agreements, which provide a total of \$180,800,000 (180.8 million U.S. dollars) cash payment for the Settlement Class and material cooperation by the Settling Defendants in the litigation against the remaining Defendant, is fair, reasonable, and adequate, thereby satisfying the requirements of Rule 23(e) of the Federal Rules of Civil Procedure. This motion is based on the Settlement Agreements, the

memorandum in support of the motion for preliminary approval, and the declaration of Brent W. Johnson—all of which accompany this motion.

Dated: December 23, 2024

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/s/ Brent W. Johnson

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*Additional Counsel for Plaintiffs and
the Proposed Class*

CERTIFICATE OF SERVICE

The undersigned attorney of record hereby certifies that on December 23, 2024, a true and correct copy of the foregoing was served by email upon all counsel of record.

Dated: December 23, 2024

/s/ Brent W. Johnson
Brent W. Johnson